



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105-3901

*Ran*

JUL 20 2004

Certified Mail No.7000 0520 0021 6109 7606  
Certified Receipt Requested

Mr. Carl Troncale, Jr.  
Cal-Tron Plating, Inc.  
11919 Rivera Road  
Santa Fe Springs, CA 90670

Re: Warning Letter and Request for Information Pursuant to 3007(a) of the Resource  
Conservation and Recovery Act

Dear Mr. Troncale:

On November 4, 2003, a hazardous waste inspection was conducted by representatives of the United States Environmental Protection Agency ("U.S.EPA") at Cal-Tron Plating Inc. ("Cal-Tron" and the "facility"), located at 11919 Rivera Road in Santo Fe Springs, California (U.S.EPA Identification Number CAD 008 237 950). During the course of this inspection, information was gathered in accordance with Section 3007 of the Resource Conservation and Recovery Act ("RCRA"), as amended [42 U.S.C. 6927]. A copy of the inspection report is enclosed for your information and response.

The report describes conditions at the time of the inspection, and identifies areas of noncompliance with RCRA regulations and the California authorized program under RCRA Subtitle C. Any omission(s) in the report shall not be construed as a determination of compliance with all applicable regulations.

On November 19, 2003, you submitted additional information in response to the inspection. However, not all of the information requested during the inspection was submitted, and additional information is required.

**Pursuant to Section 3007(a) of RCRA [42 U.S.C. 6927(a)], you are required to:**

- 1) Submit documentation that the epoxy coating of the plating area floor has been inspected, maintained, and repaired over the last three to five years.**
- 2) Submit hazardous waste determinations for the following wastestreams, containers of which were located in the paved area behind the main building during the inspection, as required by 22 California Code of Regulations (CCR) § 66262.11. [Inspection Report, Potential Violation 1]**

a. Polishing dust/metal particles from the polishing process which are collected by a vacuum system and deposited into Supersacks for transportation and disposal as a non-RCRA hazardous waste (CA code 181) (Inspection Report, Attachment 3, Photo 6). A hazardous waste determination, including any laboratory analysis, is needed for why this wastestream is not a RCRA hazardous waste and manifested with a federal hazardous waste code.

For example, a non-RCRA hazardous waste for chromium has a threshold of 5 mg/l for chromium (VI) compounds, or a threshold of 5 mg/l for chromium and/or chromium (III) compounds using California's Soluble Threshold Limit Concentration (STLC) laboratory procedure. However, a RCRA hazardous waste for chromium has a threshold of 5 mg/l (total) chromium using the federal Toxicity Characteristic Leaching Procedure (TCLP) laboratory procedure. While the results from these two procedures are not directly comparable using a mathematical conversion factor, the laboratory procedures are very similar except for such things as the acid used to digest sample solids and the use of a Zero Head Extractor in the TCLP laboratory procedure.

According to pages 3-7 to 3-9 of Cal-Tron's Hazardous Waste Management Plan (Inspection Report, Attachment 1), Cal-Tron's first step in determining if a waste with chromium is a hazardous waste is to determine if the waste exceeds the RCRA hazardous waste levels for chromium using the TCLP laboratory procedure. Therefore, you are to submit TCLP results for the wastes in question, or use generator's knowledge that the (total) chromium concentration does not exceed the federal hazardous waste characteristic concentration for chromium.

b. A fourth, quarter-filled Supersack of floor sweepings particles which was open and did not have the required hazardous waste marking/labeling information (Inspection Report, Attachment 3, Photos 9-10). A hazardous waste determination, including any laboratory analysis, is needed for the floor sweepings.

c. Along the fence on the north side of the property was one, 55-gallon drum of hazardous waste/brass stripper (inspection report, Attachment 3, Photos 17-18) . There were also three, five-gallon containers of hazardous waste/electroless nickel (Inspection Report, Attachment 3, Photo 19). Hazardous waste determinations, including any laboratory analysis, are needed for both the brass stripper solution and the electroless nickel solution to determine whether either of these wastestreams is a RCRA hazardous waste and should be manifested with a federal hazardous waste code.

- 3) Submit documentation that all hazardous waste containers at the facility are properly labeled or marked with the required hazardous waste information, and are closed, as required by 22 CCR §§ 66262.34(a), 66262.34(e), and 66265.173(a). [Inspection Report, Potential Violations 2 - 5]
- 4) Submit documentation of when the open, unmarked/unlabeled 55-gallon drum of polishing dust/metal particles was generated and when the vacuum system was first broken. [Inspection Report, Potential Violation 4.a.]
- 5) Submit documentation that adequate aisle space is being maintained between the hazardous waste containers in the new hazardous waste and materials storage shed, as required by 22

**CCR §§ 66262.34(a)(4) and 66265.35. [Inspection Report, Potential Violation 6]**

- 6) Submit documentation that no container of hazardous waste is being stored at the facility for more than 90-days , as required by 22 CCR § 66262.34(c), or that the facility is applying for a hazardous waste storage permit, as required by 22 CCR § 66270.1(c). [Inspection Report, Potential Violation 7]**

Section 3008 of RCRA, 42 U.S.C. 6928, authorizes the initiation of a civil enforcement proceeding for failure to respond fully to the information request set out in this letter. Section 3008 also authorizes criminal prosecution for knowingly making a false statement or omitting material information.

By copy of this letter, U.S.EPA is providing the State of California with notice of the referenced violations of Subtitle C of RCRA. U.S.EPA is also providing the State with notice that U.S.EPA may take appropriate enforcement action if the facility does not resolve the violations within the time specified above, and the State does not take appropriate enforcement action. The State of California may notify U.S.EPA of its intent to assume or decline responsibility to take such action to resolve the referenced violations.

U.S.EPA reserves the right to take further enforcement action as it deems appropriate. However, your response to this letter will be considered in determining the need for further enforcement action. Violations of Subtitle C of RCRA such as those listed in the enclosed report may be punishable by civil and criminal actions, including penalties of up to \$27,500 per day for each violation as provided by Section 3008 of RCRA.

This request for information is not subject to review by the Office of Management and Budget ("OMB") under the Paperwork Reduction Act because it is not an "information collection request" within the meaning of 44 U.S.C. §§3502(3), 3507, 3512, and 3518(c)(1). See, also, 5 C.F.R. §§ 1320.3(c), 1320.4, and 1320.6(a). Furthermore, it is exempt from OMB review under the Paperwork Reduction Act because it is directed to fewer than ten persons. 44 U.S.C. §3502(4), (11); 5 C.F.R. §§ 1320.4 and 1320.6(a).

U.S.EPA routinely provides copies of investigation reports to state agencies, and upon request, to the public. Such releases are handled according to the Freedom of Information Act regulations (40 CFR Part 2). If you believe this report contains privileged or confidential information, you may make a claim within fourteen (14) calendar days of your receipt of this letter. U.S.EPA will construe your failure to furnish a timely claim as a waiver of the confidentiality claim.

Your response to this information request must include a letter signed by a duly authorized official of your facility, certifying correction of the identified areas of noncompliance. Documentation of your return to compliance may consist of, among other things, photographs, manifests and revised records. Where compliance cannot be achieved within 30 days, you must provide to U.S.EPA the reasons for the delay, a description of each corrective action planned and a schedule on which each corrective action will be taken.

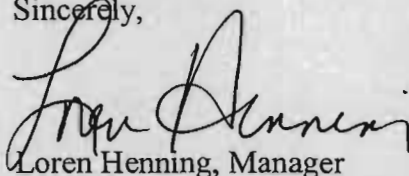
Your response to this Warning Letter and Request for Information, due within 30 calendar days of your receipt of this letter, shall be mailed to:

your receipt of this letter, shall be mailed to:

Cameron McDonald  
RCRA Enforcement Office (WST-3)  
Waste Management Division  
U.S.EPA, Region 9  
75 Hawthorne Street  
San Francisco, CA 94105-3901

If you have questions related to the inspection report or this letter, please contact Cameron McDonald at (415) 972-3308, or by e-mail at [mcdonald.cameron@epa.gov](mailto:mcdonald.cameron@epa.gov).

Sincerely,

A handwritten signature in dark ink, appearing to read "Loren Henning". The signature is fluid and cursive, with the first name "Loren" being more prominent than the last name "Henning".

Loren Henning, Manager  
RCRA Enforcement Office (WST-3)

Enclosure

cc: Charles McLaughlin, DTSC, State Regulatory Programs Division with enclosure

bcc: RCRA Records Center, Room 722 (WST-6) with enclosure  
WST-3 Reading File without enclosure  
✓ Ronald Brown, inspector (WST-3) with enclosure





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SURNAME	R Brown	McDonald	R Miller	Reunin		
DATE	12-29-03	12/31/03	4/8/04	7/19/04		

U.S. U.S.EPA CONCURRENCES

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